

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

RETHINK35, et al.

*Plaintiffs,*

v.

TEXAS DEPARTMENT OF  
TRANSPORTATION,

*Defendant.*

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CIVIL ACTION NO. 1:24-CV-00092-DII

**JOINT MOTION TO EXTEND SCHEDULING REPORT DEADLINE**

Plaintiffs Rethink35, et al., and Defendant Texas Department of Transportation (“TxDOT”) respectfully ask the Court to extend the 14-day time limit for submission of the parties’ joint report proposing a briefing schedule for dispositive motions in this matter. The current deadline, pursuant to the scheduling order adopted by the Court, is January 3, 2025, fourteen days after the Court’s order resolving Plaintiffs’ motion to supplement the administrative record. The parties request a 10-day extension of that scheduling order deadline, to January 13, to align the joint report submission deadline with the existing January 13 deadline for submission of another report by the parties concerning their positions on completion of the administrative record.

A brief delay in submission of the joint report is principally warranted due to the holiday period that intervened between the Court’s order and the current deadline. While the parties have met and conferred regarding the briefing schedule, discussions remain ongoing, and providing additional time would be helpful in reaching agreement. No party will be prejudiced by the deadline extension requested.

WHEREFORE, Plaintiffs and Defendant jointly respectfully request that the Court modify the scheduling order to extend the 14-day deadline for submission of a joint report proposing a briefing schedule by 10 days, to January 13, 2025.

Respectfully submitted,

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**CERTIFICATE OF CONFERENCE**

I certify that on January 3, 2025, counsel for Plaintiffs indicated that Plaintiffs join in the request for relief sought in this motion.

/s/ Lisa McClain Mitchell  
LISA MCCLAIN MITCHELL  
Assistant Attorney General

**CERTIFICATE OF SERVICE**

I hereby certify that on January 3, 2025, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system, which will send notification to registered users.

/s/ Lisa McClain Mitchell  
LISA MCCLAIN MITCHELL  
Assistant Attorney General